

TENTATIVE DRAFT

NOTE: It is requested that suggested corrections be sent to the Office of the Secretary, San Francisco, as soon as possible.

MINUTES

BOARD OF GOVERNORS MEETING

SAN FRANCISCO

JUNE 10, 2000

The Board of Governors of the State Bar of California convened in the Malcolm Lucas Board Room, Judicial Council Conference Center, 455 Golden Gate Avenue, San Francisco, California, at 9:35 a.m., Saturday, June 10, 2000, Andrew J. Guilford presiding.

The following members of the Board of Governors were present: Ronald A. Albers, Patrick R. Dixon, James R. Greiner, James E. Herman, Paul S. Hokokian, Palmer Brown Madden, Scott H. McNutt, Valerie Miller, Karen S. Nobumoto, James D. Otto, David L. Roth, Julie S. Sommars, Maria D. Villa, Thomas J. Warwick, Jr. and Scott Wylie.

The following members of the staff also were present: Francis Bassios, Kathleen Beitiks, Jerry Braun, Bryan Brown, Elyse Cotant, Larry Doyle, Scott Drexel, Judy Johnson, Eddie Hall, Robert Hawley, Dean Kinley, Nancy McCarthy, Marie M. Moffat, Biljanna Sivanov and Pamela Wilson.

30 The President thanked each member of the Board and staff members for a successful year. He asked Palmer Brown Madden, newly elected President, to address the Board.

10 Upon motion made, seconded and unanimously adopted, it was

RESOLVED that the general minutes of the meeting of the Board of Governors held on April 1, 2000, in San Francisco, hereby are approved as written.

All members present and recorded on the roll-call slip voted yes on the above matter.

30 The President reported on the following:

He summarized recent events, such as the ABA Pro Bono Awards;

He discussed the merits of the concept of a president-elect.

- 41 The Executive Director reported on the following:
- She was a speaker at the quarterly meeting of the League of California Attorneys, and she has been invited to speak at the Los Angeles Barristers Association Installation Dinner, which will be held in the near future;
- She will re-organize the Senior Executive Team and the Executive Staff to better serve the needs of the bar;
- She announced that the “Kids in the Law” pamphlet has been updated and is now on the bar’s website;
- She stated that the Los Angeles office will soon be online.
- 51 Upon motion made, seconded and unanimously adopted, it was
- RESOLVED**, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby receives the financial statements for the months of March and April 2000, as certified by the Director of the Office of Finance and on file in the San Francisco office of the State Bar.
- All members present and recorded on the roll-call slip voted yes on the above matter.
- 52 Upon motion made, seconded and unanimously adopted, it was
- RESOLVED**, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby receives the investment reports for the months of March and April 2000, as certified by the Director of the Office of Finance and on file in the San Francisco office of the State Bar.
- All members present and recorded on the roll-call slip voted yes on the above matter.
- 53 Upon motion made, seconded and unanimously adopted, it was
- RESOLVED**, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby receives the Client Security Fund Reports for the months of March and April 2000, as certified by the Director of the Office of Finance and on file in the San Francisco office of the State Bar.
- All members present and recorded on the roll-call slip voted yes on the above matter.
- 56 The President announced that item 56 [Legal Services Trust Fund Program—proposed Supreme Court Rule] has been withdrawn from the Board’s meeting agenda.
- David L. Roth requested that agenda items **68, 69, 70, 71 and 72** be removed from the consent agenda for the purpose of further discussion, consideration and action later in the meeting.

Clara L. Slifkin entered the meeting and was added to the roll call vote.

54 Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby ascertains and determines:

- a. that each of the persons hereinafter named is a member of the State Bar of California;
- b. that with respect to each member hereinafter named, no release has been received from the appropriate district attorney(s) pursuant to section 11350.6 of the California Welfare and Institutions Code and rule 962 of the California Rules of Court;
- c. that each member has been sent two written notices of the State Bar's obligation to suspend them pursuant to section 11350.6 of the California Welfare and Institutions Code;
- d. and recommends to the Supreme Court of the State of California that each such member on the list in its confidential form, and made a part hereof, be suspended from membership from the State Bar and from the practice of law in the State of California until such time as he/she may be reinstated, upon the Bar's receipt of a release from the appropriate district attorney(s) designating that he/she is no longer out of compliance with child and family support obligations, and upon a subsequent order of the Supreme Court terminating suspension, and it is

FURTHER RESOLVED, that for the purpose of withdrawing the foregoing recommendation for suspension in particular cases, the Secretary of the State Bar is authorized and directed to strike from the foregoing list the name of any member of the State Bar on whose behalf a release is received by the State Bar from the appropriate district attorney(s) designating the member as no longer out of compliance with child and family support obligations; and to notify the Clerk of the Supreme Court forthwith of the receipt of such release and of the consequent withdrawal of the Board's recommendation for suspension; and it is

FURTHER RESOLVED that members who receive a release from the district attorney prior to August 23, 2000, but subsequently fail to comply with the terms of that release will upon thirty-days notice, be recommended for suspension to the Supreme Court.

All members present and recorded on the roll-call slip voted yes on the above matter, except Paul S. Hokokian who abstained from voting.

55 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration,

that the Board hereby Administration and Finance, that the permanent book of the general minutes of the meetings of the Board of Governors of the State Bar regarding persons authorized to sign withdrawal orders, transfer orders and checks hereby is amended, effective June 12, 2000, by adding thereto as persons so authorized the names of Judy Johnson, Executive Director, Mark Shannon, Director, Financial Planning and Analysis, and Luanne T. Kamiya, Director, Administrative Services, Los Angeles; and it is

FURTHER RESOLVED that the name of Marie M. Moffat, Acting Executive Director, hereby is deleted, effective June 12, 2000, from the resolution appearing in the permanent book of the general minutes of the meetings of the Board of Governors regarding persons authorized to sign withdrawal orders, transfer orders and checks, and to have access to safe deposit box, and her authority hereunder hereby is revoked; and it is

FURTHER RESOLVED that the Board hereby authorizes, effective June 12, 2000, that a signature plate engraved with the name of Judy Johnson, Executive Director, is to be used with a check signing machine on accounts payable checks less than \$2,500.00, and on all payroll checks processed by the State Bar payroll service bureau, and to revoke authority for use of a signature plate engraved with the name of the Acting Executive Director, Marie M. Moffat.

All members present and recorded on the roll-call slip voted yes on the above matter.

57 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Task Force on Sections, that the Board hereby waives for one year the term limits for section appointments to five years in order that section executive committee officers may serve a sixth year as chair.

All members present and recorded on the roll-call slip voted yes on the above matter.

58 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby authorizes the Executive Director, or her designee, to enter into contracts with the California Youth Authority and the California Department of Corrections to obtain funds through grant monies for Volunteers in Parole, Inc., and to subcontract with Volunteers in Parole, Inc., for the receipt and administration of such funds for the period up through and including June 30, 2001; said contracts and subcontracts to be reviewed and approved by the Office of General Counsel.

All members present and recorded on the roll-call slip voted yes on the above matter.

59 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby authorizes the Office of Finance to continue to maintain a special fund for Legal Services Section monies, to be used only to defray the expenses for which the fund was established; and it is

FURTHER RESOLVED, that Legal Services Section dues collected for the year 2000 may be expended for the following: (a) section dues to be refunded to those members who paid section fees, upon the request of the member; and (b) for other costs incurred in furtherance of the purposes of the Legal Services Section Fund.

All members present and recorded on the roll-call slip voted yes on the above matter.

60 Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committees on Legal Services and Client Relations and the Legislative and Court Relations, that the Board hereby requests that the Judicial Council establish a Task Force on Unrepresented Litigants; and it is

FURTHER RESOLVED that the Board offers to work with the Judicial Council in this effort to address the needs of unrepresented litigants and their impact on our judicial system.

All members present and recorded on the roll-call slip voted yes on the above matter.

61 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby amends rules 101(b)(4), 133, 134, 300, 320, 321 and 600(b) of the Rules of Procedure of the State Bar of California, in the form attached to these minutes and made a part hereof, effective July 1, 2000.

All members present and recorded on the roll-call slip voted yes on the above matter.

62 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby amends rule 270 [Public and Private Reprovals], Rules of Procedure of the State Bar of California, in the form attached to these minutes and made a part hereof; and it is

FURTHER RESOLVED that the amendment to rule 270, Rules of Procedure, shall be effective on July 1, 2000, and shall apply to all cases in which a notice of disciplinary charges or other initiating document has been filed in the State Bar Court and in which a private reproof is imposed in a State Bar Court decision or order approving a stipulation that is filed on or after July 1, 2000.

All members present and recorded on the roll-call slip voted yes on the above matter.

63 Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby deletes from the Emergency Interim Amendments to the Rules of Procedure of the State Bar of California [rules 75, 108, 181, 200, 201, 205, 206, 220, 304 and 305], the sunset provision previously adopted by the Board at its March 13, 1999 meeting.

All members present and recorded on the roll-call slip voted yes on the above matter.

64 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby amends the Limited Liability Partnership Rules and Regulations in the form attached to these minutes, and made a part thereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

65 Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby accepts with thanks and orders filed the Twelfth/Thirteenth Annual Report of the California Board of Legal Specialization.

All members present and recorded on the roll-call slip voted yes on the above matter.

66 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, following publication for public comment and on consideration of comments received, and upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby requests the Supreme Court to amend rule 958 [Minimum Continuing Legal Education], California Rules of Court, in the form attached to these minutes and made a part hereof, and it is

FURTHER RESOLVED that the MCLE Rules and Regulations be amended in the form attached to these minutes and made a part hereof, to become effective as of the same date as the amendment to rule 958, California Rules of Court.

All members present and recorded on the roll-call slip voted yes on the above matter.

67 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, following publication for public comment and on consideration of comments received, and upon recommendation of the Board Legal Committee, that the Board hereby amends the policy regarding Open/Closed Sessions and

Committee Records, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

73 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby approves the 36-month mail machine equipment lease for the San Francisco office, the term of the lease to commence on July 1, 2000.

All members present and recorded on the roll-call slip voted yes on the above matter.

74 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby authorizes up to \$83,355, which is the balance of nondiscipline funding needed to implement upgrades to the voice mail system, perform needs analysis, provide graphical user interface, provide network printing in the Los Angeles office and order training room furniture in the San Francisco office, to be funded from the technology loan.

All members present and recorded on the roll-call slip voted yes on the above matter.

David L. Roth addressed the Board regarding fax polls. After discussion, the Board took the following action with a policy interpretation that if one member of the Board requests further discussion, a meeting will be held.

68 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, after circulation for public comment, and upon recommendation of the Board Legal Committee, that the Board hereby amends article IV, section 3 of the Rules and Regulations of the State Bar of California, and article 4, section 2 of the Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

69 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Legal Committee, that the Board hereby reaffirms that the Office of General Counsel is, and continues to be, the designated legal counsel to the State Bar as an entity, including the State Bar's subentities, subject to the direction of the Board and its Legal Committee; and it is

FURTHER RESOLVED that legal advice to the State Bar as an institution, including its subentities and programs, shall in all instances be rendered only by the Office of General Counsel, except where outside counsel is retained for specific purposes in compliance with existing protocols for the retention of outside counsel.

All members present and recorded on the roll-call slip voted yes on the above matter.

70 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Legal Committee, that the Board hereby authorizes the General Counsel, or her designee, to initiate unlawful detainer actions against State Bar tenants and sub-tenants upon a determination that such actions are appropriate and necessary to protect the State Bar's real property interests and where the action at issue will not result in serious political or operational consequences for the Bar; and it is

FURTHER RESOLVED that the General Counsel shall inform the Board Legal Committee in confidential reports at its regularly scheduled meetings of any unlawful detainer actions filed and the status of these actions.

All members present and recorded on the roll-call slip voted yes on the above matter.

71 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, in connection with the 2000 Morrison Foundation Lecture, that the Secretary and the Director of the Office of Finance are each, acting alone, authorized to receive from the trust fund relating to said Lecture such sums as may be allocated for said 2000 Lecture, and to sign and execute any papers or documents which may be necessary for the receipt of said funds, and to disburse said funds to meet the expense of said Lecture; and it is

FURTHER RESOLVED that the Secretary and the Director of the Office of Finance are each, acting alone, authorized, in anticipation of reimbursement from said trust fund, to advance and pay out sums to meet the expense of said Lecture.

All members present and recorded on the roll-call slip voted yes on the above matter.

71 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, pursuant to article V, section 1, of the Rules and Regulations of the State Bar of California, that 9:00 a.m., on Thursday, September 14, 2000, in the San Diego Marriott Hotel and Marina, 333 West Harbor Boulevard, San Diego, California 92101, hereby are fixed as the time and place for the commencement of the 2000 Annual Meeting of the State Bar of California.

All members present and recorded on the roll-call slip voted yes on the above matter.

71 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, pursuant to article VI, section 6 of the Rules and Regulations of the State Bar of California, that the Board hereby approves the 2000 meeting of the Conference of Delegates being called to order on Friday, September 15, 2000, in the San Diego Marriott Hotel and Marina, 333 West Harbor Boulevard, San Diego, California 92101, at 2:00 p.m.

All members present and recorded on the roll-call slip voted yes on the above matter.

72 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Task Force on the Conference of Delegates, that the Board hereby amends article VI, section 4 of the Rules and Regulations of the State Bar of California, in the form attached to these minutes and made a part hereof, to authorize statewide associations meeting specified criteria to be represented in the Conference of Delegates.

All members present and recorded on the roll-call slip voted yes on the above matter.

130 James D. Otto, Co-Chair, Board Committee on Communications and Member Relations, introduced David Heilbron, former Board Member (1983-1986), former President (1985-1986) and current chair of the MCLE Evaluation Commission, who addressed the Board concerning the MCLE telephone survey.

131 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Communications and Member Relations and the MCLE Evaluation Commission, that the Board hereby authorizes the MCLE Evaluation Commission to conduct a telephone survey of a representative sample of members on how best to improve the MCLE program.

All members present and recorded on the roll-call slip voted yes on the above matter.

110 Thomas J. Warwick, Jr., Chair, Board Committee on Administration and Finance, addressed the Board about the work of the committee.

111 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby amends the fiscal policy in the form attach to these minutes and made a part hereof; and it is

FURTHER RESOLVED that the effective date of the amended fiscal policy shall be July 1, 2000.

All members present and recorded on the roll-call slip voted yes on the above matter.

121 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committees on Regulation and Discipline and Legislative and Court Relations, that the Board hereby authorizes the Office of Certification to file the State Bar's Report to the Supreme Court pursuant to its order in S078194, *In Re the Request of the State Bar of California for Approval of New Rule 983.4, California Rules of Court*, and it is

FURTHER RESOLVED that the Board hereby supports legislation to extend or remove the sunset provision on Code of Civil Procedure, section 1282.4, and authorizes staff to take appropriate steps to accomplish this action.

All members present and recorded on the roll-call slip voted yes on the above matter.

122 Upon motion made and seconded, the following was unanimously adopted:

WHEREAS, the American Bar Association's Commission on Multidisciplinary Practice (MDP Commission) was appointed to determine what changes, if any should be made to the ABA Model Rules of Professional Conduct governing the delivery of legal services by professional service entities comprised of attorneys and nonattorneys; and

WHEREAS, the Commission on Multidisciplinary Practice has presented its 2000 Report and Recommendations to the ABA's House of Delegates for consideration at the ABA's July 2000 Annual Meeting in New York; and

WHEREAS, the Commission on Multidisciplinary Practice is recommending that the ABA adopt changes to its Model Rules of Professional Conduct which would allow the delivery of legal services through MDP entities comprised of attorneys and nonattorney professionals, provided that the attorneys have the control and authority necessary to assure lawyer independence in the rendering of legal services and that implementation can be accomplished in a manner that protects the public and preserves the core values of the legal profession, including competence, independence of professional judgment, protection of client confidential information, loyalty to the client through the avoidance of conflicts of interests, and *pro bono publico obligations*; and

WHEREAS, the Commission on Multidisciplinary Practice also intends to ask the ABA House of Delegates in New York to defer action on its item until the February 2001 ABA Midyear Meeting in San Diego; and

WHEREAS, other state representatives to the ABA House of Delegates have stated their intent to oppose any deferral of the MDP matter and to force a resolution on the merits at the ABA's July 2000 Annual Meeting in New York; and

WHEREAS, the Board of Governors of the State Bar of California (Board) appoints delegates who represent the State Bar of California in the ABA House of Delegates and who vote on recommendations presented to the ABA House of

Delegates; and

WHEREAS, the State Bar of California has formed a new State Bar Task Force on Multidisciplinary Practice which is charged with conducting a thorough evaluation of MDP as a potential new form of practice in California and to make recommendations to the Board for State Bar action on MDP; and

WHEREAS, it has been recommended that the Board provide guidance to the State Bar of California delegates who will represent the State Bar of California at the ABA's July 2000 Annual Meeting in New York; and

WHEREAS, although it is legitimate to consider modifications to the professional rules governing the traditional forms of practice by which consumers of legal services are served by the legal profession, any such changes must be carefully and thoroughly considered; and

WHEREAS, many state and local bar associations across the county are in the midst of, or just starting, their formal study of the important substantive and policy issues raised by the concept of MDP;

NOW, THEREFORE, BE IT RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board of Governors hereby recommends that the ABA House of Delegates defer any final action on the Commission on Multidisciplinary Practice Report and Recommendations until the February 2001 ABA Midyear Meeting in San Diego or another subsequent ABA meeting; and it is

FURTHER RESOLVED that the Board of Governors instructs the State Bar of California's delegates to the ABA House of Delegates to work to achieve the goal of deferral of any ABA House of Delegates action that would resolve the merits of the MDP debate, including voting on any formal recommendations presented to the ABA House of Delegates in a manner consistent with the goal of deferral; and it is

FURTHER RESOLVED that in the event that efforts to defer the ABA House of Delegates action on the merits of the MDP Commission's recommendation fail, the Board of Governors instructs the State Bar of California's delegates to the ABA House of Delegates to abstain from any votes that would approve or disapprove the MDP Commission's recommendation; and it is

FURTHER RESOLVED that the Board of Governors will not submit a formal report and recommendation to the ABA House of Delegates for consideration at the July 2000 ABA Annual Meeting in New York, but instead will submit this resolution of the Board of Governors to the MDP Commission as the written comment of the State Bar of California in response to the MDP Commission's 2000 Report and Recommendation.

All members present and recorded on the roll-call slip voted yes on the above matter.

123 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committees on Regulation and Discipline and Legislative and Court Relations, that the Board hereby authorizes the Committee of Bar Examiners to take its own position on AB 1042 [Request to Oppose Legislation Eliminating First-Year Law Students' Examination Requirements] (Cedillo) to Governor Gray Davis.

All members present and recorded on the roll-call slip voted yes on the above matter.

150 Ronald E. Albers, Co-Chair, Board Committee on Legal Services and Client Relations, addressed the Board regarding the status of pending matters before the committee, and stated that the deadline for nominations for the Presidents Pro Bono Awards is June 30, 2000.

160 Paul S. Hokokian, Chair, Board Committee on Legislative and Court Relations, requested that Larry Doyle, Chief Legislative Counsel, provide background on each of the legislative proposals before the Board.

161A Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committees on Legislative and Court Relations and Regulation and Discipline, that the Board hereby supports AB 1858: [Consumer Protection] (Romero), if it is amended as proposed, including requiring immigration consultants to include in all advertising a statement that the consultant is not an attorney and deletion of the provision which would have required attorneys to place their State Bar numbers on all advertisements, letterhead and business cards.

All members present and recorded on the roll-call slip voted yes on the above matter.

161B Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committees on Legislative and Court Relations and Regulation and Discipline, that the Board hereby opposes AB 2107 [Elder Abuse] (Scott) unless it is amended (1) to specify that a compensated referral arrangement is not *per se* prohibited, but only if such arrangement fails to comply with the applicable Rules of Professional Conduct, and (2) to place its provision in a more appropriate section of the code or limit its applicability only to compensated referral arrangements involving seniors.

All members present and recorded on the roll-call slip voted yes on the above matter.

161C Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committees on Legislative and Court Relations and Regulation and Discipline, that the Board hereby recommends that SB 1782 [Attorneys] (Morrow), based upon significant questions

of public policy and the complexity of the issues of reciprocal admission to practice law in California, that a study be conducted by the Supreme Court and the State Bar to consider the implications of changing the way in which the practice of law is regulated and to make recommendations to the Legislature and the Supreme Court, which could then take informed action, if appropriate.

All members present and recorded on the roll-call slip voted yes on the above matter.

161D Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committees on and Legislative and Court Relations and Regulation and Discipline, that the Board hereby supports SB 1988 [Insurance Fraud] (Speier) if it is amended to eliminate vague, uncertain and inaccurate terms in proposed Business and Professions Code section 6106.5 and to delete proposed section 6106.6.

All members present and recorded on the roll-call slip voted yes on the above matter.

180 Clara L. Slifkin, Chair, Board Committee on Future Planning, addressed the Board and summarized the work of the committee. She stated that agenda item June 181, Creation of a Past Presidents and Board Advisory Committee, was withdrawn from the agenda until a later date to allow for additional study.

301 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Task Force on the Conference of Delegates, that the Board hereby approves the 2000 budget of the Conference of Delegates, in the form attached to these minutes and made a part hereof, subject to revision based upon additional revenues becoming available to the Conference of Delegates.

All members present and recorded on the roll-call slip voted yes on the above matter.

302 The President reported to the Board regarding multi-jurisdictional practice, and established a subcommittee to work on the issues. Mr. Madden requested that Mr. Guildford chair the newly created Subcommittee on Multi-Jurisdictional Practice.

303 Upon motion made and seconded, the following was unanimously adopted:

WHEREAS, the Board and sections recognize that the best form of governance is based on clear and direct communications between all members of the State Bar family;

NOW, THEREFORE, BE IT RESOLVED, upon recommendation of the Board Task Force on Sections, that the Board hereby directs that the Council of Section Chairs shall henceforth be known as the Council of State Bar Sections ("Council"); the Council shall be the leadership and coordination committee for the sections; and the Council shall serve as advisor on, and have the authority and responsibility to implement, the Board's policies; and

BE IT FURTHER RESOLVED that, in order to more effectively deal with the work of the sections, the purposes of the Council of the State Bar Sections shall include:

1. Representing and acting on behalf of the sections in communicating with and advising the Board of the position of the Council without restricting any individual section's ability to represent its position on any matter.
2. Managing and controlling the financial affairs on behalf of the sections only as to:
 - a. The allocation of overhead, i.e., the cost of administrative services actually charged to all of the sections by the State Bar, including the oversight and administration of said overhead.
 - b. The allocation of staffing by State Bar employees of contractors among the sections as paid for by the overhead charge.
3. Advising the Board on matters pertaining to policies and procedures which affect the sections generally, such as the format and content of the sections' portion of the annual dues statement published by the State Bar, but not to include the amount to be charged by any individual section for membership in such section.
4. Fostering communication between the Board and the sections and among the sections.
5. Developing and implementing efficiencies in the delivery of section services to members of the State Bar.
6. Working with the State Bar staff to develop, promote and implement cost-effective procedures for supporting the activities of the sections.
7. Implement the policies of the Board relating to the sections.

and

BE IT FURTHER RESOLVED that the Council of State Bar Sections' Executive Committee and up to three liaisons from the Board shall meet from time to time to consider and recommend policies and actions to the Board and the sections; and

BE IT FURTHER RESOLVED that the Council shall evaluate the various governance issues relating to the Council and its sections, and to make its report and recommendations to the Board at its August 25, 2000, meeting; and

BE IT FURTHER RESOLVED that the policies and procedures of the State Bar be amended to reflect these resolutions at the earliest possible opportunity.

All members present and recorded on the roll-call slip voted yes on the above matter.

The Board went into closed session at 11:28 a.m., and those other persons present in the meeting, except the Executive Director and members of the Senior Executive Team, left the meeting.

The Board resumed open session at 12:05 p.m.

141 The appointments were considered in confidential session and the actions of the Board are reported below.

6010 Upon motion made, seconded and unanimously adopted, it was

RESOLVED that the Board hereby ratifies or amends the appointments to various committees contained in the June closed consent agenda 6 010, i.e., items 6011-6016, this day before the Board.

All members present and recorded on the roll-call slip voted yes on the above matter.

6011 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby appoints Pauline A. Weaver, Oakland, vice-chair, Commission on Judicial Nominees Evaluation, for a term to commence June 1, 2000, and to expire May 31, 2000, or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes on the above matter.

6012 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Communications and Member Relations, that the Board hereby appoints or reappoints, as the case may be, officers and members to the section executive committees, in the form attached to these minutes and made a part hereof, effective at the close of the 2000 State Bar Annual Meeting, i.e., September 17, 2000, or as indicated; or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes on the above matter.

6013 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Legal Services and Client Relations, that the Board hereby reappoints Marc M. Seltzer to the Legal Aid Foundation of Los Angeles Board of Directors for a three-year term commencing July 1, 2000, and expiring June 30, 2003.

All members present and recorded on the roll-call slip voted yes on the above matter.

6014 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Legal Services and Client Relations, that the Board hereby reappoints Altus W. Hudson and Judith L. Pasewark to the Board of Directors, Legal Aid Society of Orange County, each to serve for a three-year term commencing July 1, 2000, and expiring June 30, 2003.

6015 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby appoints the persons whose names appear on the list attached to these minutes and made a part here of, to the State Bar of California Fee Arbitration Department, each to serve for a term of two years commencing June 12, 2000.

All members present and recorded on the roll-call slip voted yes on the above matter.

6016 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby appoints members to the Criminal Law Advisory Commission, in the form attached to these minutes and made a part hereof, effective immediately, each to serve for the term indicated opposite his or her name, or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes on the above matter.

The Board adjourned at 12:10 p.m., Saturday, June 10, 2000, in memory of Eileen Koch, former Director of Support Services, to meet again at the call of the President at any time prior to the next regularly scheduled meeting of the Board, or if no such meeting be called, in the Malcolm Lucas Board Room, Judicial Council Conference Center, 455 Golden Gate Avenue, San Francisco, August 26, 2000.

JUNE 10, 2000
ATTACHMENT TO THE MINUTES

June 111	Fiscal Policy	-11-
June 310	2000 budget of the Conference of Delegates	-15-
June 6012	Section Executive Committees	-18-
June 6015	Fee Arbitration Department, appointments	-18-
June 6016	Criminal Law Advisory Commission	-18-
June 61	Rules of Procedure of the State Bar	-6-
June 62	Rules of Procedure , rule 270	-6-
June 64	Limited Liability Partnership Rules and Regulations	-7-
June 66 (1)	MCLE Rules and Regulations	-7-
June 66 (2)	MCLE Rules and Regulations	-7-
June 67	Open/Closed Sessions and Committee Records	-7-
June 68	Art IV, sec 3 Rules& Regs; Op/CI rules art4,sec2	-8-
June 72	Rules and Regulations, art VI, sec 4	-10-